

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARK MONDRAGON, on behalf of
D.M., a minor child,

Plaintiff,

v.

Case No. 1:21-cv-427 MV/KRS

RIO RANCHO PUBLIC SCHOOLS,
Board of Education, et al.,

Defendants.

**ORDER GRANTING MOTION TO EXTEND DEADLINES AND
VACATE SETTLEMENT CONFERENCE**

THIS MATTER is before the Court on Plaintiff's Motion to Modify Scheduling Order and Vacate Mediation, (Doc. 23), filed September 1, 2021. Defendants filed a response to the motion on September 15, 2021. (Doc. 24). No reply has been filed and the time for doing so has passed. Having considered the parties' briefing, the record of the case, and relevant law, the Court grants the Motion and orders the parties to submit an amended scheduling order.

Plaintiff states there has been a delay in conducting discovery in this case because it is premature for a retained expert to provide an opinion due to the status of D.M.'s psychological treatment. (Doc. 23) at 2. Plaintiff further states the parties are working to coordinate discovery in this case and two other cases with related facts (21-CV-648 KWR/JFR and 21-CV-751 KK/JHR). *Id.* Plaintiff, therefore, asks the Court to modify the scheduling order and vacate the November 9, 2021 settlement conference. Defendants do not oppose extending the parties' expert witness deadlines and other cases management deadlines, and do not oppose rescheduling the November 9, 2021 settlement conference. (Doc. 24). Defendants further state they will meet with Plaintiff's counsel to develop an amended scheduling order. *Id.*

Considering the parties' agreement to modify the pretrial deadlines and vacate the November 9, 2021 settlement conference, the Court will grant Plaintiff's Motion and vacate the pretrial deadlines, the October 14, 2021 status conference, and the November 9, 2021 settlement conference. The parties shall file a proposed amended scheduling order by October 19, 2021. If they are not able to agree on proposed amended deadlines, the Court will set a second scheduling conference. The Court will set a status conference to reset the settlement conference at a later date.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Modify Scheduling Order and Vacate Mediation, (Doc. 23), is GRANTED and the deadlines in the Scheduling Order, (Doc. 19), the October 14, 2021 status conference, and the November 9, 2021 settlement conference and all associated deadlines are VACATED.

IT IS FURTHER ORDERED that the parties shall meet and confer and file a proposed amended scheduling order no later than **October 19, 2021**. If the parties cannot agree on the proposed dates, the Court will set a second scheduling conference. The Court will set a status conference to reset the settlement conference at a later date.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE